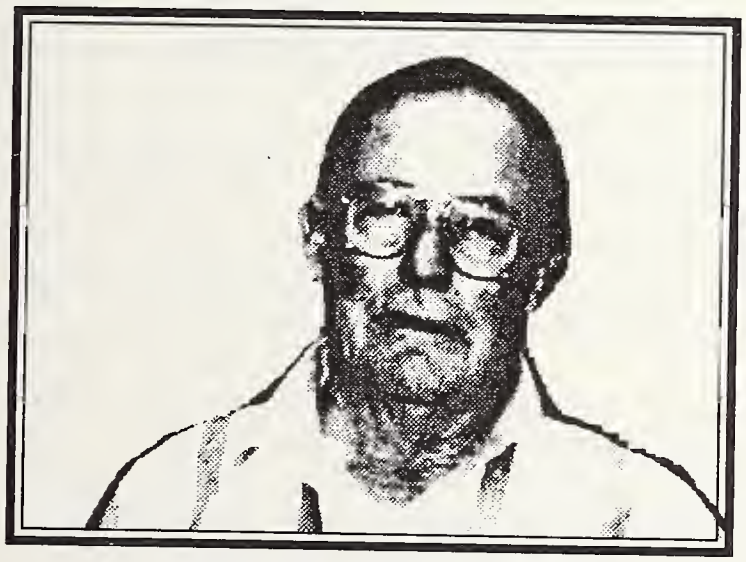
S
628.114
W4wd
v. 15

Montana State Library
3 0864 1006 7308 9
OCT 31 1994
MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

WELL DEVELOPMENTS

No. 15 BOARD OF WATER WELL CONTRACTORS September FY94

BOARD MEMBERS
Wes Lindsay, Chairman/Industry Member
Ron Guse, Vice Chairman/DNRC Member
John Arrigo, DHES Member
Bob Bergantino, MBMG Member
Pat Byrne, Industry Member
Bob Rudio, Program Manager



LINDSAY REAPPOINTED

Wes Lindsay was reappointed to the Board of Water Well Contractors (BWWC) by Governor Mark Racicot to serve a 3-year term. Wes is a long time member of the Water Well Drillers Association and the BWWC. He represents the drilling industry as a driller member of the Board.

TWENTY-FIVE-FOOT EXEMPTION

There appears to be confusion over the 25-foot exemption under Section 37-43-102(7), MCA.

Some have interpreted the explanation to mean that any well less than 25 feet is not considered a water well. Therefore, some contractors are assuming that this means they cannot drill a water well less than 25 feet or that a license is not required for such a well.

Both licensing and construction requirements apply to these wells. The exclusion only exempts: 1) spring developments, 2) excavations for recovery of surface waters, and 3) excavations (wells) for stock watering or irrigation.

FLOWING WELLS

Within the past nine months the Department of Natural Resources and Conservation has decided to take a more active role in enforcing Section 85-2-505(1), MCA.

Section 85-2-505(1) states in brief that:

> *No ground water may be wasted. The department shall require all wells producing water which contaminate other waters to be plugged or capped. It shall also require all flowing wells to be so capped or equipped with valves that the flow of water can be stopped when the water is not being put to beneficial use. Likewise, both flowing and nonflowing wells shall be so constructed and maintained as to prevent the waste, contamination, or pollution of ground water through leaky casings, pipes, fittings, valves, or pumps either above or below the land surface....*

Contractors should be aware that the BWWC rules also contain sections that apply to flowing wells. They are 36.21.658, which provides for sealing; 36.21.664 subsection (3), which provides for flow testing; and 36.21.671, which provides for abandonment of flowing wells.

WELL LOG REPORT

Well logs are important to BWWC, DNRC, and MBMG. Well logs are the legal record of the licensee's work. Each section of the log must have an entry even if the entry is N/A (not applicable). DNRC needs the correct legal land description to ¼, ¼ of the Section, Township and Range, ie., within 40 acres. Most licensees keep USGS Quadrangle maps of their area and figure each well location. Those that rely on the well owner to provide the location often get a street address or subdivision name. DNRC and MBMG needs the legal land description by Section, Township and Range to maintain the statewide well data base. The Board has asked DNRC to review the logs with particular attention to the following entries:

1. Is the well location completed to ¼, ¼ Section, Township, and Range?
2. Does every line on the form (1-14) have an entry?
3. Is the static water level entered?

4. Are the perforations below the static water level?
5. Was the well pumped or bailed for one hour?
6. Is the hole cased to the bottom and properly grouted to at least 18 feet?
7. Is the log signed by the licensee?

The best maps to use for locating the well site are available from the MBMG. They are 7½ minute quadrangle maps (commonly called "Quad maps") put out by the U.S. Geological Survey. You can order these maps by calling (406) 496-4167, at a cost of $2.50 per map. A state-wide index to these maps is also available so you can order maps of the general area you are working.

QUALIFICATION FOR LICENSURE

There is much similarity in the requirements for the different licenses. The three licenses, Contractor, Driller and Monitoring Well Constructor, basically require:

- **One year apprenticeship under a Montana Licensed person or**
- **Reciprocity from another state or**
- **Equivalent experience, education or both.**

Applicants for the contractors, drillers or constructors licenses generally find that the Board rarely grants qualification for equivalent experience. The Board would rather err on the side of "Not Qualified" than have a licensed water well contractor, driller, or monitoring well constructor unable or unwilling to comply with the rules.

The Board also looks favorably on a driller's application when he/she is currently employed and recommended by a licensed contractor. The Board rarely waives the 1-year apprenticeship requirement.

Exams are scheduled on an individual basis after the person is notified, by mail, that he/she is qualified. The exam may be taken at any one of eight regional DNRC offices. Appointments for the exam must be made in advance.

NEW LICENSEES

The Board welcomes the following persons who passed the exams over the past year or transferred from inactive license status.

1. Water well contractors/monitoring:

James R. Smith	Victor
Ed Thatcher	Eureka
Monte Davis	Ennis
Wallace Robinson	Glendive
James Erdman	Clark Fork, ID
Rick Murray	Clancy

2. Monitoring well constructors:

Lee Turner	Laurel
Robert C. Anderson	Helena
John Ballantyne	Clancy
John Graham	Libby
Al Kornec	Helena
Stuart Blundell	Helena
Richard West	Great Falls
Alan Frohberg	Great Falls
John Juras	Great Falls
Peter Klevberg	Great Falls
Daniel March	Helena
Robert Legare	Brady
James Feldman	Butte
William Hansen	Lincoln
Dan Mayberry	Helena
Mike Mieyr	Great Falls

3. Water well drillers

Guy Davis	Bozeman
Stefan Strzelczyk	Turner
Ted Hagen	Great Falls
William White	Kalispell
Allyn Buff	Libby
Dennis Dixon	Corvallis
Aaron Weidow	Corvallis
Kevin Schomer	Polson
Paul Posey	Thompson Falls
Ray Spurgin	Vaughn
Stan Ortel	Kalispell

PROPOSED RULES CHANGES

The Rules Committee of the BWWC has made several recommendations to the Board. Briefly, the following are being considered:

1. To charge a fee to review exemption permits for land owners to drill their own well.
2. Specify location of well and distances from drain fields, septic systems, or sewer systems.
3. Specify vented relief for casing of water wells located within 100-year floodplains.
4. Clarify general sealing rules and use as examples the unconsolidated and consolidated formation techniques for sealing.
5. Clarify the time frames for controlling flowing wells.
6. Clarify responsibility for well abandonment by driller or well owner.

The Board does not intend to change monitoring well rules at this time.

NEW SUBDIVISION RULES

Elimination of the 20-acre tract designations has resulted in all transferred properties becoming subject to county planning and state subdivision approval. Drillers may find approval for a well location is necessary prior to drilling. Previously approved subdivisions may not have this restriction. Further information on this is available from Mark Smith, DHES, 444-5311.

DRY WELLS

The Board has received several complaints regarding dry wells. Drillers must use caution in recommending pump installation where testing indicates less than 4GPM. Often drillers will indicate to the well owner that 4GPM (or less) can be successfully pumped. Maybe so, but in those instances where after time, the aquifer will not recharge or the pump sucks silt into the system, the driller could be liable. If you are in doubt after adequate testing, it may be better to recommend abandonment rather than development and so indicate on the well log.

YELLOWSTONE CONTROLLED GROUNDWATER AREA

A Controlled Groundwater Area has been established in the vicinity of Yellowstone National Park effective January 31, 1994. This area is in portions of Montana that are within about 16 miles of the Park boundary, and includes Cooke City, Gardiner, West Yellowstone, and the Corwin Springs area. The purpose of the Controlled Groundwater Area is to protect the geothermal features in Yellowstone National Park from being affected by groundwater withdrawals from wells. It was created through negotiations between the State of Montana (Reserved Water Rights Compact Commission) and the federal government. There are now certain restrictions, limitations, and requirements for new wells in this area. Licensed drillers who commonly operate in this area have been notified of the Controlled Groundwater Area. Anyone that plans to drill in the vicinity of the Park that is unfamiliar with the Controlled Groundwater Area requirements should contact DNRC before drilling.

Persons intending to use groundwater in the area are now required to apply for a water-use permit before having a well drilled. The groundwater temperature and specific conductance must be measured and reported to DNRC before a permit application can be processed. DNRC has asked area drillers for assistance in obtaining these measurements. Those who drill in the area will soon be receiving some recommended procedures for getting these measurements. We greatly appreciate your assistance and cooperation.

If groundwater produced by a completed well is 60 F. degrees or warmer, a permit cannot be issued unless certain conditions are met. Because of this requirement, DNRC recommends that water temperature be monitored as the well is drilled so that any zones in which cooler water is encountered can be identified.

The Montana Bureau of Mines and Geology will be conducting an inventory of all known water wells in the area over the next few years, and DNRC will be inspecting newly completed wells in the area on a regular basis. If you are interested in additional information on the Yellowstone Controlled Groundwater Area you can contact Ron Guse (444-6630) or Kirk Waren (444-6679) at DNRC in Helena or Scott Compton or Jan Mack (586-3136) in DNRC's Bozeman Water Resources Regional Office.

ABANDONMENT

Section 36.21.669A, 36.21.670, 36.21.671, and 36.21.672 of the June 1991 Rules Book contain the requirements for abandoning wells. A common question is "who is responsible to abandon a used well?" The answer is the well land owner is responsible. However, a well that is not useable because of driller error is the responsibility of the driller to abandon. The BWWC recommends the driller advise the owner that any unused well (whether a replaced well or an unused old well on the property) makes the owner liable for aquifer contamination or other liabilities. Sooner or later that unused well must be properly and permanently abandoned. The sooner the better.

When the issue is not clear, such as a dispute over driller error, the Board may order the driller to permanently abandon the well if it could be a danger to the aquifer,without regard to whether the driller can recover the costs of abandonment from the well land owner.

The best procedure is to encourage the well owner to have the driller do it while he is there with the equipment and sealing material. A well log must be completed on any abandoned well by filling out the name and location and describing the abandonment procedure in the space provided in section 12 of the well log report form.

-CONVENTION-

The Montana Water Well Drillers Association Convention is tentatively scheduled for February 8 and 9, 1995 in Helena, Montana at the Colonial Inn. Further information can be obtained from Vickie Lautt at 406-665-3304.

For further information
on any of the material
contained herein contact:
Bob Rudio, Program Manager
Board of Water Well Contractors
1520 East Sixth Avenue
P.O. Box 202301
Helena, Montana 59620-2301
(406) 444-6643

BOARD OF WATER WELL CONTRACTORS
1520 East Sixth Avenue
P.O. Box 202301
Helena, Montana 59620-2301
(406) 444-6643